

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

APRIL 9, 2002

PRESENT:

Pete Sferrazza, Chairman
Joanne Bond, Vice Chairman
Jim Galloway, Commissioner
Jim Shaw, Commissioner
Ted Short, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

02-356 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the agenda for the April 9, 2002, meeting be approved with the following amendments: Delete Item 6R(2) concerning proposed street project in Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads), Item 12 concerning the request of the James Ross Trust of an amendment to the Comprehensive Plan for the Southeast Truckee Meadows Area Plan, and Item 14B concerning an Ordinance authorizing the County Manager to discount fees for use of County facilities and attendance at County events. Chairman Sferrazza noted that Item 11 concerning the proposal by the City of Reno to place Countywide funding for an animal shelter on the 2002 ballot would be heard as close to 6:00 p.m. as possible.

PUBLIC COMMENTS

Frank Gross, University Ridge resident, provided documentation and discussed issues concerning the University Ridge Park project contained in the City of Reno 2001/2021 Capital Improvement Plan. He said Washoe County gave the City \$300,000, Alturas funds in the amount of \$125,000 were allocated, and over \$625,000 has been collected in the name of that park, but there still is no park. He stated he is concerned that the park funding is in jeopardy, and requested Washoe County's assistance in assuring that the park is built.

Lee Husted, University Ridge resident, presented and discussed his written statement concerning the University Ridge Park project. He presented several reasons why the County should take over the neighborhood park project and the University Ridge PUD.

William Kimbrell, County resident, advised he lives across the street from the County Administration Complex, and the County's vacant lot creates a lot of dust when the wind blows. He requested a lawn be placed on the vacant lot where children could play and to reduce the dust problem.

Jerry Newcomer, University Ridge resident, said the City will not give up the money for the University Ridge Park and the developer will not give up the land. He requested that Washoe County gain control of the \$300,000 along with the Alturas monies given to Reno and assure the City commits to building the park. He expressed concern that the City will spend the money on other projects and the park will not be built.

MANAGER'S/COMMISSIONERS' COMMENTS

Chairman Sferrazza stated he requested that the issue of the University Ridge Park be placed on a future County agenda to receive a report from the City of Reno regarding the matter. He asked that Reno's report be presented to the Board at their April 23 meeting. Chairman Sferrazza then requested a report concerning what is intended for the vacant lot across the street from the Complex. He suggested that grass be planted, but noted this might require some kind of special permit from the City of Reno. Katy Singlaub, County Manager, said staff would prepare a dust management plan and come back to the Board with options.

Commissioner Galloway advised that an issue concerning people shooting firearms came up a Northwest Advisory Board meeting; and shotgun ammunition casings have been found in the Mae Anne area near Robb and Las Brisas. He said off-road vehicles are also operating in a hazardous manner at that intersection. He noted the intersection is in the City of Reno, but he would like to receive a staff report as soon as possible regarding the location of unincorporated County congested areas that prohibit the use of firearms, and whether any move is underway to review or change those areas.

Commissioner Bond advised that Stephen Rogers, a Golden Valley resident, has requested information about how to begin the preliminary steps for doing re-charge in that area. She then advised a meeting is scheduled concerning deregulation of electrical services on April 19 and staff should be present, as the impacts could be serious for everyone.

Commissioner Short advised that he was recently reminded by two members of the Regional Water Planning Commission that the County accepted a proposal to bring forth a water conservation program. He said he would like to see the program move forward as quickly as possible.

Commissioner Shaw recognized Sparks City Councilman Ron Schmitt, who was present.

MINUTES

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the minutes of the regular meeting of February 26, 2002, be approved.

02-357 PROCLAMATION – NATIONAL COUNTY GOVERNMENT WEEK

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Proclamation be adopted and Chairman Sferrazza be authorized to execute on behalf of the Board:

PROCLAMATION

WHEREAS, Counties secure America. County workers are on the job 24 hours a day, seven days a week, 365 days a year to help keep citizens protected and communities thriving; and

WHEREAS, Washoe County is one of 3,066 counties in the United States who are collectively responsible for the well being of more than 230 million residents; and

WHEREAS, Due to the planning, cooperation and dedication of counties across America, emergency response professionals nationwide are able to mobilize quickly and respond effectively in the event of an emergency; and

WHEREAS, The important role of Washoe County in emergency response and emergency response planning has been highlighted by events of the past year, including the September 11th terrorist attacks on New York and Washington D.C., and the October anthrax incident in Reno; and

WHEREAS, Washoe County has served its citizens, Nevada and the United States since it was established by Nevada's first territorial legislature on November 25, 1861 and the employees of Washoe County remain dedicated to the cause of providing excellent public service; and

WHEREAS, As part of our mission, the Washoe County Board of Commissioners and employees encourage increased citizen awareness, input and involvement in County government and recognize that, through this partnership with our citizens, Washoe County will continue to provide regional leadership while generating innovative solutions to the challenges facing our community; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that April 7 - 13, 2002 is National County Government Week in recognition of the leadership, innovation and valuable service provided by Washoe County and counties nationwide.

02-358 PROCLAMATION – NATIONAL LIBRARY WEEK

Nancy Cummings, Washoe County Library Director, advised this is National Library Month and the Washoe County Library is conducting a patron appreciation program throughout the month of April. She said they have been visiting all library branches and it is special for her, as Library Director, to hear how important the libraries are in this community. She thanked the Board for the support they give to the library system.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Proclamation be adopted and Chairman Sferrazza be authorized to execute on behalf of the Board:

PROCLAMATION

WHEREAS, The Washoe County Library System, serving Nevada communities for the past 98 years, will be celebrating "National Library Week", April 14-20, 2002; and

WHEREAS, The Washoe County Library System provides citizens the opportunity to access resources that can give every person the chance to learn and gain knowledge; and

WHEREAS, The Washoe County Library System wishes to make known the vast resources available free to library card holders, including books, magazines, reference resources, videotapes, computers, Internet connections, audiobooks, books on CD's, etc., that can give every citizen the tools for learning; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that April 14-20, 2002, is designated as "National Library Week" and the Board urges all residents of the Truckee Meadows to take advantage of the resources available to them at the Washoe County Libraries by visiting any one of the 12 stationary locations, Mobile Library I or www.washoe.fb.nv.us.

02-359 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow up medical or psychological treatment for 39 sexual assault victims in an amount totaling

\$9,117.17 as set forth in a memorandum from Lidia Osmetti, Office Manager, District Attorney's Office, dated March 25, 2002, and placed on file with the Clerk.

**02-360 APPOINTMENTS – AD HOC WASHOE COUNTY CABLE TV
FRANCHISE NEGOTIATING COMMITTEE - PURCHASING**

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, through John Sherman, Finance Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following individuals be appointed to serve on the Ad Hoc "Washoe County Cable TV Franchise Negotiating Committee":

Amanda Coulsen	by Commissioner Sferrazza
Tim Vernon	by Commissioner Bond
Stephen Satchel	by Commissioner Galloway
John Mitchell	by Commissioner Shaw
Dexter Sale	by Commissioner Short
Kathy Carter as Vice-Chairperson	
John L. Balentine as Chairperson	

**02-361 APPOINTMENTS – USERS COMMITTEE – REGIONAL
COMMUNICATIONS SYSTEMS (800 MHZ) – MANAGER**

Upon recommendation of Katy Singlaub, County Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Assistant Sheriff James Lopey, Sheriff Captain Doug Gist, and General Services Director Tom Gadd be appointed to serve as members representing Washoe County on the Users Committee for the Washoe County Regional Communications Systems (800 MHz).

**02-362 TAHOE REGIONAL PLANNING AGENCY WATER QUALITY
MITIGATION FUND – INCLINE VILLAGE PROJECTS**

Upon recommendation of Kimble Corbridge, Engineering Division, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that staff be authorized to request \$22,265.72 from Washoe County's Tahoe Regional Planning Agency's Water Quality Mitigation Fund for completion of the Lakeshore Boulevard Rehabilitation and the Incline Village Commercial and Lower Wood Creek water quality improvement projects.

02-363 DESIGN SERVICES – SPARKS BRANCH LIBRARY

Upon recommendation of Don Jeppson, Public Works Project Coordinator, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza or-

dered that additional design services by Barada-Fuetsch Architects in the amount of \$12,000 for the Sparks Branch Library be approved.

02-364 GRANT OF DRAINAGE EASEMENT – SHIRLEY GIECK AND MARY HANSEN

Upon recommendation of David Price, County Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Grant of Easement between Washoe County and Shirley J. Gieck and Mary Ellen Hansen, which will allow Washoe County to maintain drainage facilities to be constructed by the County Road Division within the easement, be approved and Chairman Sferrazza be authorized to execute. It was further ordered that the executed Grant of Easement be returned to the Engineering Division for recording.

02-365 EXPENDITURE – NATIONAL FOSTER PARENT ASSOCIATION CONFERENCE – SOCIAL SERVICES

Upon recommendation of Michael Capello, Director, Department of Social Services, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the expenditure of \$1,500 to participate in the National Foster Parent Association's yearly conference by assisting in the purchase of audio/visual equipment rental for conference presentations be approved.

02-366 EXPENDITURE – COUNTY COMMISSION DISTRICT 5 SPECIAL FUNDING ACCOUNT – RESOLUTION – RESCIND MARCH 26, 2002 ACTION

Upon recommendation of Katy Singlaub, County Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the expenditure of \$500 from the County Commission District 5 Special Funding Account for the March 31, 2002 Lemmon Valley Volunteer Fire Department Easter Egg Hunt be approved retroactively. It was further ordered that the following Resolution necessary for distribution of funding be adopted and Chairman Sferrazza be authorized to execute; and that the March 26, 2002 action approving District 5 funding for a July Nevada Association of Counties' Conference in New Orleans, Louisiana be acknowledged and rescinded.

RESOLUTION--Authorizing the Grant of Public Money to a Private Nonprofit Organization

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in fiscal year 2001/2002 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private, nonprofit organizations; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby retroactively grants to the Lemmon Valley Volunteer Fire Department, a private, nonprofit organization, a grant for fiscal year 2001/2002 in the amount of \$500.00 to be used for expenses incurred for the March 31, 2002 Lemmon Valley Volunteer Fire Department Easter Egg Hunt at the fire station.

[Business Impact Note: The Board of County Commissioners hereby finds that this Resolution does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

02-367 ACCEPTANCE OF GRANT – NEVADA DEPARTMENT OF HUMAN SERVICES, WELFARE DIVISION, CHILD SUPPORT ENFORCEMENT PROGRAM

Upon recommendation of Ronald Longtin, Court Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that a grant in the amount of \$33,333 (with no County matching funds required) from Nevada Department of Human Services, Welfare Division, Child Support Enforcement Program, to establish and administer programs to support and facilitate non-custodial parents’ access to and visitation of their children be accepted. It was noted that this is a flow-through grant from the Federal Department of Health and Human Services and the CFDA# is 93.597. It was further ordered that the Comptroller be directed to make the following account changes:

Increase Revenue Account	Amount	Increase Expense Account	Amount
001-121204G-4301	\$32,333	121204G-7140	\$32,333
001-121204G-4301	\$ 1,000	121204G-7620	\$ 1,000

02-368 AMENDMENT – FISCAL YEAR 2001/02 BUDGET – COMMUNITY AND CLINICAL HEALTH SERVICES

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the amendment to the Community and Clinical Health Services Temporary Assistance for Needy Families (TANF) Program Fiscal Year 2001/02 Budget be approved and the following account transactions be authorized:

Account Number	Description	Amount of Increase/(Decrease)
002-1700-1730G4-4301	Federal Funds	\$24,000
002-1700-1730G4-70021	Pooled Positions	\$ 500
002-1700-1730G4-74231	Referral Svcs-Other	\$23,500
	Total Expenditures	\$24,000

02-369 AMENDED PURCHASE ORDER – INDEPENDENT CONTRACTOR AGREEMENT – BYERMAN SOLUTIONS GROUP

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the amendment to Purchase Order #201973 in the amount of \$19,315 to increase by an additional \$12,877 for a total of \$32,192 to support the Independent Contractor Agreement between the District Health Department and David A. Byerman, President, Byerman Solutions Group be approved. The contract coordinates the activities of the Tobacco Prevention & Control Program for the period January 2, 2002 to April 2, 2002 and the amendment continues the contract period from April 3, 2002 up to, but not beyond, May 31, 2002.

It was noted there would be no additional fiscal impact as the program is grant funded through the Tobacco Prevention and Control Program.

02-370 BUDGET APPROPRIATION REDUCTION - FISCAL YEAR 01-02

Upon recommendation of Lisa Gianoli, Budget Manager, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that budget appropriation reductions for the fiscal year 2001-2002 budget in the amount of \$1,106,020 be approved and the Comptroller be authorized to make the following account adjustments:

FY 01/02 Second Budget Reduction Plan Summary	
Department Name	Adjustment Amount
Board of County Commissioners	(3,865)
County Managers Office	(75,563)
Assessor	(16,121)
Finance Department	(5,085)
County Clerk	(1,254)
Information Technology	(198,519)
Human Resources	(40,000)
Purchasing	(264)
Recorder	(5,627)

Registrar of Voters	(8,400)
Treasurer	(3,950)
Community Development	(20,860)
Law Library	(8,600)
Public Defender	(27,500)
Justice Courts	(14,620)
Juvenile Services	(21,000)
Library	(85,167)
Parks	(68,650)
Sheriff	(79,908)
Coroner	(3,657)
Public Works	(86,090)
General Services	(300,000)
Health Department	(26,720)
Social Services	0
Fire Suppression	(4,600)
Health Benefits	0
Risk Management	0
Equipment Services	0
Grand Total Reduction	(1,106,020)
Contingency	1,886,069
New Total, Contingency	2,992,089

02-371 REJECT SOLE BID – VAV TERMINAL DDC RETROFIT – BID NO. 2320-02 - PURCHASING

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on December 12, 2001, for the VAV Terminal Direct Digital Control Retrofit on behalf of the Facility Management Division of the General Services Department. Proof was made that due and legal Notice had been given.

One bid, placed on file with the Clerk, was received from Yamas Controls Southwest, Inc. in the amount of \$86,900. Control Installation Specialists submitted a "no-bid" response.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the sole bid for Bid No. 2320-02 for the VAV Terminal Direct Digital Control Retrofit be *rejected*. It was noted that the responding supplier's bid was over the budgeted amount of \$53,000 anticipated by the

Facility Management Division, and they have requested that the project be postponed until next fiscal year and be reassessed at that time.

02-372 WATER RIGHTS DEED – HOLLY CLAVELL-HEAD LAND TRUST – PLEASANT VALLEY PARCELS - WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following actions be taken regarding a parcel map creating two new parcels within Pleasant Valley (APN 050-520-33):

1. The Water Rights Deed for 2.02 acre-feet of groundwater rights Permit 52420, Certificate 14541 between Holly Clavell-Head Land Trust, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sferrazza be authorized to execute.
2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

02-373 WATER RIGHTS DEED – TRUCKEE MEADOWS WATER AUTHORITY – FUTURE DEVELOPMENT IN SPANISH SPRINGS - WATER RESOURCES

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following actions be taken regarding future development in Spanish Springs by Hawco Development Company:

1. The Water Rights Deed for 27.54 acre-feet of surface water rights from a portion of Permit 62513, as changed by Application 66823, between the Truckee Meadows Water Authority, as Grantor, and Washoe County, as Grantee, be approved and Chairman Sferrazza be authorized to execute.
2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

02-374 INTERLOCAL AGREEMENT – UNIVERSITY OF NEVADA – SEISMOLOGY MONITORING EQUIPMENT WITHIN LONGLEY LANE COMPLEX – GENERAL SERVICES

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County and the University of Nevada, concerning use of County property to locate an antenna

station within the Longley Lane Complex for placement of seismology equipment and instruments to monitor earthquake activity, be approved and Chairman Sferrazza be authorized to execute. It was noted that no rental cost or income is associated with the Agreement and no budget transfers are required.

02-375 LEASE AGREEMENT – HOLCOMB-RYLAND PARTNERSHIP – OFFICE SPACE – AIR QUALITY DIVISION - HEALTH DEPARTMENT – GENERAL SERVICES

Upon recommendation of Tom Gadd, Director, General Services Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Lease Agreement between Washoe County, Lessee, and Holcomb-Ryland Partnership, Lessor, concerning the lease of office space for a 24-month period, November 1, 2002 through October 31, 2004, to facilitate the operation of the Washoe County District Health Department Air Quality Division, be approved and Chairman Sferrazza be authorized to execute.

02-376 INTERLOCAL AGREEMENT – USDA FOREST SERVICE – SURVEY AND PRELIMINARY DESIGN – WHITES AND THOMAS CREEK CANYON TRAILHEADS - PARKS

Upon recommendation of Stephanie Morelan, Park Planning Coordinator, through Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Interlocal Agreement Collection Agreement between Washoe County and USDA, Forest Service, Humboldt-Toiyabe National Forest, concerning the provision of County funding to the Forest Service for survey and preliminary design of two trailheads known as Whites and Thomas Creek Canyon Trailheads, be approved and Chairman Sferrazza be authorized to execute. It was further ordered that the transfer of \$11,000 each from Bond Accounts 9052206 (Thomas Creek Canyon Trailhead) and 9052209 (Whites Creek Canyon Trailhead) to the U.S. Forest Service, for the purpose of completing survey and preliminary design work, be authorized.

02-377 AGREEMENT – CONSULTING ENGINEERING SERVICES – EAGLE NEST ENGINEERING – FLOOD MITIGATION/ MANAGEMENT PLAN – WATER RESOURCES

Upon recommendation of the Regional Water Planning Commission, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Agreement for Consulting Engineering Services between Washoe County and Eagle Nest Engineering, to assist the Regional Water Planning Commission with development of a Flood Mitigation/Management Plan in the amount of \$36,700 to come from the Flood Mitigation Assistance (FMA) Planning Grant that was approved by the Board of County Commissioners in August, 2001, be approved and Chairman Sferrazza be authorized to execute.

02-378

FUNDING CONTRIBUTION AGREEMENT – NEVADA STATE ENGINEER – HYDROLOGIC DATA COLLECTION

Upon recommendation of Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Funding Contribution Agreement for Hydrologic Data Collection in Northern Nevada between Washoe County and the Nevada State Engineer, in support of daily stream flow and water level measurements at seven locations in Washoe County, be approved and Chairman Sferrazza be authorized to execute. It was noted that the total cost of the Monitoring Program is \$62,900, which the County splits 50/50 with the U. S. Geological Survey; and that the Regional Water Planning Commission contribution is \$31,450.

02-379

CORRECTION OF FACTUAL ERRORS - ASSESSOR

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved, and Chairman Sferrazza be authorized to execute on behalf of the Commission.

Innsbrook Village LLC--Parcel #037-012-02 [-\$4,820.61] (2001 Secured Roll).
A-Z Enterprises--Parcel #079-351-06 [-\$96.20] (2001 Supplemental Roll - Improvements Only).
South Meadows Office Investments LLC--Parcel #160-810-13 [-\$1,783.15] (2001 Supplemental Roll - Improvements Only).
William J. and Barbara A. Diamond Trust--Parcel #160-810-14 [-\$1,735.97] (2001 Supplemental Roll - Improvements Only).
Mark W. and Lydia H. Morton--Parcel #556-083-11 [-\$246.10] (2001 Secured Roll).
Bantz Family Ltd. Ptsp.--Parcel #082-531-09 [tax rate not available] (2002 Secured Roll).
Ted M. Dunagan--Parcel #085-173-13 [tax rate not available] (2002 Secured Roll).
Harold France et al.--Parcel #085-780-14 [tax rate not available] (2002 Secured Roll).
Richard M. and Patricia R. Whitman--Parcel #085-780-16 [tax rate not available] (2002 Secured Roll).
Crystal Bradshaw--Parcel #085-790-09 [tax rate not available] (2002 Secured Roll).
John and Ruth L. Bunce--Parcel #085-790-19 [tax rate not available] (2002 Secured Roll).
M. Lawrence and Jeanette C. Belli--Parcel #085-820-28 [tax rate not available] (2002 Secured Roll).

02-380

RESOLUTION – AMENDMENT TO COMPREHENSIVE PLAN – LAND USE & TRANSPORTATION ELEMENT AND AREA PLAN STREET & HIGHWAY SYSTEM PLAN MAPS

Upon recommendation of Catherine McCarthy, Senior Planner, Community Development Department, and Jack Lorbeer, Regional Transportation Commission Principal Planner, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution initiating an amendment to the Washoe County Comprehensive Plan – Land Use and Transportation Element, and all twelve Area Plans to coincide with the Year 2020 roadway network, as

stipulated by Policy POP.1.2, be adopted and Chairman Sferrazza be authorized to execute:

**RESOLUTION INITIATING AN AMENDMENT TO THE
WASHOE COUNTY COMPREHENSIVE PLAN, RELATING TO THE LAND
USE & TRANSPORTATION ELEMENT AND AREA PLAN STREET &
HIGHWAY SYSTEM PLAN MAPS**

WHEREAS, the Regional Transportation Commission has adopted the 2030 Regional Transportation Plan for Washoe County, and has presented reports to the Board of County Commission, the Washoe County Planning Commission, and Truckee Meadows Regional Planning Agency regarding the long-range transportation needs of Washoe County;

WHEREAS, the *Washoe County Comprehensive Plan - Land Use & Transportation Element*, and Area Plans rely on a 20-year planning horizon as specified in Policy POP. 1.2 and are dependent on the transportation plan results;

WHEREAS, there is a need to initiate an amendment to the *Washoe County Comprehensive Plan - Land Use & Transportation Element*, and Area Plans, to update the Street & Highway System Plan maps, and include potential modifications aimed at improving the definition and implementation of the *Washoe County Comprehensive Plan - Land Use & Transportation Element*, and Area Plan, and removing obsolete references to surface transportation information; and

WHEREAS, there is no one person, group or entity who might appropriately file a Washoe County Comprehensive Plan Amendment application on this subject;

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Commission does hereby initiate an amendment to the *Washoe County Comprehensive Plan - Land Use & Transportation Element*, and Area Plans, without prejudice to the final dispensation of the proposed amendment.

* * * * *

It was noted that Policy POP.1.2 states that a 20-year planning horizon for the Washoe County Comprehensive Plan be maintained; the amendment would specifically consider the twelve Area Plan Street & Highway System Plan maps to reflect adoption of the 2030 Regional Transportation Plan (RTP) by the Regional Transportation Commission (RTC); the Street & Highway System Plan maps will continue to reflect collector roads approved through the area plan amendment process that are not contained in the RTP; and the amendments will also be considered to replace obsolete surface transportation information contained in the Land Use & Transportation Element, and to reflect any administrative changes to the text and policies, as a result of the 2030 RTP.

It was further noted that these modifications would make County plans consistent with regional standards, which are applied in reviewing development and master plan amendments, and are used for implementing the Regional Road Impact Fee Program; the Resolution to initiate a Comprehensive Plan amendment does not bind or prejudice the Washoe County Commission to adopt any proposed changes to the Washoe County Comprehensive Plan; and the Resolution authorizes staff to proceed with soliciting comments from the Citizen Advisory Boards and appropriate agencies, and to submit a report to the Planning Commission for action.

02-381 **CONTRACT NEGOTIATIONS – ACQUISITION AND IMPLEMENTATION OF INTEGRATED ENTERPRISE INFORMATION SYSTEM**

John Sherman, Finance Director, provided information in response to several questions asked at yesterday's caucus meeting regarding the RFP process, site visits of communities and agencies that implemented similar project efforts, cost information, and the benefits of an integrated system to Washoe County. Mr. Sherman then responded to questions of the Board.

Matt Beckstedt, Information Technology Director, was present to provide additional information. Katy Singlaub, County Manager, noted that the two finalists selected by selection committee stood out as most responsive to the requirements set forth.

Discussion was held about the departments and systems that would be integrated. Chairman Sferrazza stated he would want to incorporate every department, if possible. Mr. Sherman advised that would be the intent of the program and noted this is a first significant step to integrate the systems in order to reduce duplication and errors.

On motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that staff be authorized to proceed with contract negotiations with the preferred vendor and bring a contract back to the Board for consideration of acquisition and implementation of an Integrated Enterprise Information System for Washoe County.

02-382 **REQUEST FOR EASEMENT/ROADWAY THROUGH LANDSCAPED AREA OF WASHOE COUNTY COURTHOUSE**

Judge Peter Breen, Second Judicial District Court and President of the Washoe County Courthouse Historical and Preservation Society, said they oppose any easement across the Courthouse lawn. He stated it is time for preservation and renovation of the Courthouse, not for encroachment. Judge Breen presented a letter from Ronald James, State Historic Preservation Officer, stating that the Preservation Office has some covenants that have not been considered regarding the proposed project. He requested the County make a stand that no more encroachment on the Courthouse property would be allowed.

Coe Swobe, Courthouse Historical and Preservation Society, said they have been working with Kenneth Krater, Consulting Engineer, and the City of Reno on a solution to the situation. The Historical Society and Mr. Krater believe that, if the City would locate the eight parking spaces behind the Riverside Art Center elsewhere, such as the City parking garage at First and Sierra Street, the access easement would not be necessary. He noted the Riverside Hotel served as a social center of Reno for 60 years without needing to encroach on the Courthouse lawn.

Sam Dehne, Reno citizen, spoke in opposition to granting the easement to the City of Reno.

Commissioner Short said an easement across the Courthouse lawn would be detrimental to the preservation efforts being made.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that an easement/roadway through the front landscaped area at the Washoe County Courthouse not be granted; and that staff be directed to notify the City of Reno of said action.

02-383 NOTICE OF LEASE TERMINATION – CONKLIN
PROFESSIONAL OFFICE BUILDING TENANTS

Madelyn Shipman, Legal Counsel, advised that eight tenants currently occupy the Conklin building. The Starlight Chapel has the only existing lease, which expires October 31, 2002, and the other tenants are hold-over leases on a month-to-month basis. She advised she has not seen the lease, but District Attorney staff has indicated there is an automatic five-year renewal, if notice of intention not to renew is not given. Ms. Shipman then advised that the position of the District Attorney's office is, once the County becomes the landlord, as opposed to an interim or temporary landlord, the County is obligated under law to bring the building ADA compliant, which cannot be done if the building is occupied.

Tom Gadd, Director, General Services Department, advised that staff is requesting direction to notice the tenants, as a courtesy, that the month-to-month occupancy will not continue, and the existing lease will not be extended beyond October 31. He said, in order to allow the tenants to continue occupancy, the County needs to comply with the law and bring the building into compliance with ADA; and leasing the building would need to be done in accordance with NRS 244, which requires that any Washoe County citizen be given the opportunity to lease space on a competitive basis.

Chairman Sferrazza stated his understanding is that the building would not have to be brought into compliance, if the County has a public works project planned for the property. He said he would like to see a copy of the Starlight Chapel lease and to know what would be done with property before taking action on this item. Mr. Gadd advised his understanding is that the property would be abated and razed once the leases expire. Chairman Sferrazza said he understood the building could be leased or utilized

and would pay its own overhead. Mr. Gadd said, in order to do that, the building would need to be ADA compliant. Upon inquiry of Commissioner Galloway, Mr. Gadd said he does not believe the lease has a hold-over clause.

Following further discussion, Commissioner Galloway moved that staff be directed to provide six-months advance notice of lease termination to be effective October 31, 2002, to the remaining tenants of the Conklin Professional Office Building; and that the language of the notice be the minimum necessary to avoid an automatic renewal. Commissioner Bond seconded Commissioner Galloway's motion. On call for the question, Chairman Sferrazza voted "no," and the motion passed.

Later in the meeting, Legal Counsel Shipman requested that this item be reopened. She advised the information she received from staff related to the terms of the lease for the Heart of Reno, which is no longer located in the Conklin building; the current lease with the Starlight Chapel expires October 31 and would go on a month-to-month basis; and the notice not to renew would be as a courtesy for tenants who may be looking to move their offices. She said it is still the District Attorney's opinion that, if the County continues as landlord subsequent to October 31, the building would need to be brought into ADA compliance. Ms. Shipman then requested a motion to reconsider this item.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that this item be reconsidered.

Chairman Sferrazza stated the reason he did not want to vote on this matter was to have the opportunity to plan what would be done with the building. Commissioner Galloway said he would not want to change the motion because it gave direction that staff simply notify the existing leaseholder that the County does not intend to renew the lease.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the motion stand.

**02-384 RESOLUTION – SPECIAL ASSESSMENT DISTRICT NO. 33 –
MT. ROSE SANITARY SEWER PHASE 2 – WATER RESOURCES**

Bill Thomas, Summit Engineering, representing Mt. Rose Development Company and Mt. Rose Ski Tahoe, advised that they support the Mt. Rose Sanitary Sewer Phase 2 project. He noted that later on today's agenda is an item concerning Special Assessment District No. 29 for Mt. Rose Sewer Phase 1, and Mt. Rose will pay the lion's share of that sewer line even though it does not connect to Mt. Rose. He said, for that reason, they would like some level of assurance that Phase 2 would reach Mt. Rose; and the Board request staff to look at creating a development agreement so they might potentially build the line as a private sewer line.

Commissioner Galloway said he does not have a problem with the request from Mr. Thomas and noted the Board would not be passing the resolution if they did not intend to complete the project.

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution concerning Washoe County, Nevada, Special Assessment District No. 33 (Mt. Rose Sewer Phase 2) be adopted and Chairman Sferazza be authorized to execute. It was further ordered that staff be authorized to negotiate with certain property owners for the formation of the District and look into the mechanism by which some private construction of Phase 2 could occur.

RESOLUTION NO. 02-384

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 33 (MT. ROSE SEWER PHASE 2); AUTHORIZING STAFF TO NEGOTIATE WITH CERTAIN PROPERTY OWNERS FOR THE FORMATION OF THE DISTRICT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (the "Board") of the County of Washoe (the "County"), and State of Nevada, pursuant to the County's special assessment guidelines dated February, 1992 (the "Guidelines"), requires the submission of a petition and an application to initiate the formation of certain types of special assessment districts; and

WHEREAS, a certain owner of property (the "Owner") has submitted a petition to form an assessment district (the "District") in the vicinity of the Mt. Rose Highway in the County for the purpose of installing certain sanitary sewer improvements (the "Project") to serve property owned by the Owner; and

WHEREAS, the acquisition of the Project will remove certain properties from septic systems, allow other properties to be served by the sewer, and to that extent will protect the groundwater and natural resources of the County; and

WHEREAS, the Board now desires to authorize staff to begin negotiating the particulars of the financing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. The Board, pursuant to the Guidelines, hereby authorizes staff to begin to negotiate the particulars of the financing with the Owner, subject to the Owner

making a security deposit with the County in the form of cash, a letter of credit, surety bond, or other form of security acceptable to the County Manager or her designee in an amount determined by the County Manager or her designee, to be used to pay the costs described in the Guidelines.

Section 2. The District shall be known as Washoe County Special Assessment District No. 33 (Mt. Rose Sewer Phase 2).

Section 3. All action, proceedings, matters and things heretofore taken, had and done by the County, and the officers thereof (not inconsistent with the provisions of this resolution), concerning the District, be, and the same hereby are, ratified, approved and confirmed.

Section 4. The officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including, without limiting the generality of the foregoing, the preparation of all further necessary contract documents, legal proceedings, and other items necessary or desirable for the acquisition of the improvements and for the completion of the District.

Section 5. Passage of this Resolution does not obligate the County to create the District, issue bonds therefor, or to give any approvals to any projects in the District or elsewhere, nor does it obligate the County to expend any funds and no person is authorized hereby to incur any obligation of the County.

Section 6. In the event the County hereafter incurs expenses on the Project, it is the County's intent to reimburse itself out of the proceeds of the bonds issued for the District for those expenses. It is the purpose of this Section to serve as a statement of official intent for purposes of Section 1.150-2 of the Regulations promulgated under the Internal Revenue Code of 1986, as amended.

Section 7. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 8. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

02-385 CONTINGENCY TRANSFER – DISTRICT ATTORNEY BUDGET

Chairman Sferrazza advised a recommendation was made at yesterday's caucus meeting to defer this item until better figures are available regarding the contingency transfer.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the request to transfer funds from contingency to the District Attorney's budget to cover the deficit in the 2001/02 fiscal year budget be continued to the end of this fiscal year.

**02-386 STORMWATER CONTROL PROJECT – FINANCING PLAN -
SPANISH SPRINGS**

Jeanne Ruefer, Water Resource Planning Manager, advised that the Board accepted the floodplain alternative to the Boneyard project in September, 2000, and directed staff to develop a financing plan to determine the feasibility of that alternative, which consisted of a detention facility sized to accommodate flow from a 100-year, 10-day storm event. She said the alternative floodplain detention project is referred to as the North Spanish Springs Stormwater Management Facility, and is less costly than the Boneyard project. Ms. Ruefer advised that, based on the subsequent analysis, the amount of benefit Sparks would receive was reduced to approximately \$1.1-million due to the requirement put in place by the City of Sparks that subdivisions detain the 24-hour, 100-year storm within their footprint. She reviewed the process that occurred since September, 2000, which resulted in a smaller stormwater management facility that is more affordable for Sparks and the County. The construction cost would be approximately \$6-million and the County would need to develop a funding mechanism for their \$5-million share of the project. Discussion was then held about project costs.

Neal Krutz, Deputy Director of Community Development, City of Sparks, said they believe a viable technical solution has been reached that is less costly, and they would like to see a funding mechanism recommended so the project can move forward. Upon inquiry of Commissioner Shaw, Mr. Krutz said they would like to get the design done by fall and put the project out to bid by spring.

Ms. Ruefer then discussed the financing recommendations contained in the staff report dated April 8, 2002. She said approximately 30 flood control and stormwater management facilities were identified in the Washoe County Flood Control Master Plan developed in 1991, and the County is looking at five regional type facilities in the CIP. She said, in the past, the funding mechanism for building these kinds of projects has been through some kind of assessment district, but as areas get built up and costs keep increasing, it is becoming difficult for a local neighborhood assessment district to bear the cost burden; and a regional approach to financing these kinds of projects should be seriously considered. Ms. Ruefer discussed the following stormwater financing options presented in the staff report: Option No. 1, to establish a local assessment district; Option No. 2, to establish a stormwater utility in the unincorporated county with annual fees based on impervious area; and Option No. 3, to establish a stormwater management district that covers the entire county based on impervious area. She advised that Option No. 2 is staff's recommendation and is the approach the City of Sparks believes would be successful. It could easily be done using GIS and is a fair way to assess fees for stormwater management that benefits the entire community. Discussion was then held concerning the three options.

Commissioner Short asked if grant monies were available for the project. Ms. Ruefer said obtaining a grant is a long-term project and is something they would be watching regarding future projects. Commissioner Bond said she thinks the project needs to move forward and does not have a problem with Option No. 2. She requested that staff bring back more information on what the assessment might look like in the unincorporated area and more defined numbers as to what a realistic figure would be. Chairman Sferrazza said he would not support funding Option No. 3 and has a problem with Option No. 2 for anyone who paid on a development after 1994 and has already paid for detention of the 100 year flood within their property. County Manager Singlaub said that issue and many other details would be analyzed. Commissioner Galloway said he would not have a problem with Option No. 2, if it would survive annexation. Ms. Ruefer said those types of issues would be addressed and staff would work with the District Attorney's office on that matter. Commissioner Galloway questioned whether Option No. 1 or a combination of options should be ruled out. Commissioner Bond said there should be as much flexibility as possible and combinations should be looked at.

Chairman Sferrazza requested that staff ask Sparks if they could contribute more to the project. Commissioner Galloway said he feels that anything expended on design has to be reimbursed out of the whole project, and it is just a matter of who is willing to front money. He requested the County Manager look into that issue.

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that staff be directed to come back within 60 days with a stormwater financing plan based on Option No. 2 to design and construct the least expensive flood control alternative for the Spanish Springs Stormwater Control Project agreed to between the City of Sparks and Washoe County; and that staff present any other alternative or combination of alternatives they believe would be appropriate.

Ron Schmitt, Sparks City Councilman, thanked the Board for bringing this issue to the table and establishing timeframes to move forward. He said Sparks is very concerned that a plan be put together to move forward and start construction within the next 12 months.

Terri Shannon, County resident, said the agenda item relates only to a special assessment district for Spanish Springs, but there was discussion to consider financing for the entire unincorporated area. She encouraged the Board to make sure the public is aware of the financing option before it is implemented.

02-387 REGIONAL PLAN UPDATE – COMMUNITY DEVELOPMENT

Eric Young, Community Development, advised that public meetings on the current draft regional plan are scheduled for April 10, 11 and 12, and the Regional Planning Governing Board will meet on May 9. He said that, pursuant to Board direction, staff put together newspaper ads voicing the County's concerns, and telephone calls

have been received in response to those ads; and staff has also had a number of inquiries about the County's compromise proposal. Mr. Young advised that areas of increasing concern relate to the Ballardini Ranch, which is being requested to be placed in the Reno Sphere of Influence (SOI), and the Truckee River Corridor, which the County agreed to be in the Sparks SOI on the condition that it be jointly planned. He advised the provisions for joint planning have been taken out of the draft plan, which raises a concern about the future of the Truckee River Corridor.

Commissioner Galloway said he listed some issues he thought were onerous and shared them with the Governing Board members; and the County Commissioners are on the distribution of that memo.

Charles Busi, Lemmon Valley property owner, advised that the request for the Busi/Bushey amendment to place their 4.65-acre parcel in the Reno SOI is still on the table. He provided a map depicting the subject property.

Commissioner Galloway said several months ago he tried to ensure that Mrs. Bushey understood the appropriate process; and that the Washoe County Community Development Department would begin the process, if the property owners would write a letter requesting the County to initiate an amendment to the Reno-Stead Joint Area Plan. Mr. Busi advised he did not have that understanding.

Mr. Young stated it is unfortunate there has been a lot of communication breakdown relative to this property. He said he is willing to work with the applicants to ensure the communication shortfall does not happen again, and the application is submitted.

Lori Bushey, co-owner of the subject property, said her understanding was this matter would be taken care of through the regional plan update. Commissioner Galloway advised that, even if the regional plan update places the property in the SOI, the County does not acknowledge the sphere can be changed by Regional Planning action alone; and the proper application process to amend the Reno-Stead Joint Plan needs to be followed.

5:05 p.m. The Board recessed.

5:30 p.m. The Board reconvened with all present.

02-388 APPEAL - SPECIALTY ENTERPRISES - PM01-024 - PARCEL MAP REVIEW COMMITTEE - COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set for continued consideration of an appeal to reverse the Washoe County Parcel Map Review Committee's action to partially approve a parcel map initiated by the applicant, Specialty Enterprises. The applicant applied to partition a ±12.42-acre parcel into four parcels with acreages of approximately 1.55 acres, 1.46 acres, and 1.06 acres designated as Low Density Suburban (LDS), with the remaining

8.35-acre parcel designated General Rural (GR). The property is located on the west side of Timberline Drive approximately one mile north of the intersection of Timberline Drive and the Mt. Rose Highway. The parcel is situated in Section 34, T18N, R19E, MDM, Washoe County, Nevada, and is within the boundaries of the Galena/Steamboat Citizens Advisory Board and Washoe County Commissioner District No. 2 (APN: 49-070-45). (This item was continued from the February 12 and March 12, 2002 meetings.)

Chairman Sferrazza opened the public hearing and stated there has been a request to continue this matter again.

Charles Woodman, attorney representing Specialty Enterprises, stated that after the Caucus meeting, he and the property owner met with staff concerning their options. He requested additional time to explore other alternatives and stated it is their hope they will be able to resolve the issues.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that consideration of the appeal to reverse the Washoe County Parcel Map Review Committee's action to partially approve a parcel map initiated by the applicant, Specialty Enterprises, be continued.

02-389 SUSPENSION/REVOCAION OF BUSINESS LICENSE - STEVEN H. URIE, DBA CAUGHLIN CLUB CHILD CENTER AKA CAUGHLIN PRESCHOOL - COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 29, 2002 to consider a request to suspend or revoke the business license of Steven H. Urie, dba, Caughlin Club Child Center (aka Caughlin Preschool) located at 4100 Caughlin Parkway, Reno, Nevada. Proof was made that due and legal Notice had been given.

Bob Webb, Interim Director, Department of Community Development, reviewed pertinent sections of the agenda memorandum, a copy of which was placed on file with the Clerk, outlining the reasons for staff's investigation into the business license and their findings as a result of the investigation. He explained applicable sections of the Washoe County Code and the options available to the Board. Mr. Webb further stated, at the request of Mr. Urie, the property owner, and Ms. Palmer, who is running the day care center, staff did not notify the clients of the child care center. He noted two minor corrections to information contained in the staff report.

In response to questions raised at Caucus, Mr. Webb advised that Mr. Urie paid partial property taxes in 1999, but no taxes were paid in 2000 or 2001; and the County will assume the deed on this property on June 5, 2002 if the taxes are not paid in full before that date. There are four total business licenses at 4100 Caughlin Parkway, one for an athletic club, one for a snack bar, a liquor license, and one for the daycare; and the other licenses are current. Mr. Webb stated, at this point in time, neither Mr. Urie nor

the individuals operating the day care center, could be granted a business license because of non-payment of the property taxes.

Madelyn Shipman, Assistant District Attorney, stated another issue further complicating the matter is that the people leasing the property are operating a day care center with more than 20 children without the required special use permit. Mr. Webb stated the childcare facility is licensed by the Department of Social Services for 42 children.

Chairman Sferrazza opened the public hearing by calling on anyone wishing to speak concerning this matter.

Steven Urie, General Partner, Caughlin Club, stated they are expecting a real estate transaction on other property to close in the near future and would be able to pay the property taxes when they receive those proceeds. In response to Chairman Sferrazza, Mr. Urie said they would request the Board approve option "B" outlined in the agenda memorandum, which would allow the day care center to continue operating.

Tray Palmer, husband of Joanne Palmer who operates the child care center, urged the Board to approve staff's option "B" so the child care center could continue to operate. He stated Mr. Urie has assured them the taxes will be paid; and, when that is done, they will obtain all the other licenses needed to bring the child care center into full compliance with all regulations.

Alice LeDesma, Supervisor, Child Care Services, responded to questions from the Board concerning the child care license and the adequacy of the facilities. She explained that these other issues came to light when the current operators applied to increase the number of children from 42 to 95. Sharon Kvas, Planner, provided other historical and background information concerning this facility. She stated staff could have closed this business, but chose to let it continue to operate while bringing it into compliance, since closing it would have been a horrible inconvenience to approximately 40 families. She advised staff believes further action is now necessary, due to the taxes still not being paid.

Commissioner Galloway asked if the Board of Adjustment has the option of changing the number of children allowed when they review the special use permit. Ms. Kvas stated they do. Commissioner Galloway suggested language be added to Option "B," should the Board approve that, to make sure the number of children allowed is consistent on all required permits. Ms. Kvas stated staff would also prefer that the application for the special use permit be from the people operating the business.

There being no one else wishing to speak, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Option "B" be ap-

proved with the following conditions attached to the business license in order for the business to remain open, without a decrease in enrollment until a special use permit is granted:

1. The licensee must pay the business license renewal fee for the period March 1, 2002 to March 1, 2003 by June 1, 2002.
2. The Caughlin Club Child Center (aka Caughlin Preschool) shall obtain a special use permit for a child daycare facility as required by Washoe County Code §110.302.05 and § 110.302.15, and pursuant to Article 810 of the Washoe County Development Code, for enrollment in excess of 20 children by **July 12, 2002**. Said special use permit shall specify the number of children permitted in the child daycare facility. The special use requirement for the number of children shall be noted on the business license (after verification of that number on a valid Child Care Facility License from Washoe County Social Services) and shall further be in effect, and noted, for any new child daycare business at 4100 Caughlin Ranch Parkway (after verification of a valid Child Care Facility License).
3. Failure to obtain said special use permit by July 12, 2002 will limit enrollment at the child daycare facility to 20 children.
 - a) Until the required special use permit is granted, any enrollment in excess of 20 children shall cause automatic suspension of this business license. Washoe County Business License shall periodically inspect the business and verify the number of children at the facility; their investigation is good cause for license suspension if warranted. If the license is suspended, Washoe County Business License will schedule a public hearing pursuant to Washoe County Code §25.0381 through §25.0385 in order for the Washoe County Commission to review the suspension and determine whether the business license should be revoked.
4. Any delinquent property taxes on 4100 Caughlin Ranch Parkway (APN 009-251-05) must be paid by **June 1, 2002** or this business license is automatically suspended. If the license is suspended, Washoe County Business License will schedule a public hearing pursuant to Washoe County Code §25.0381 through §25.0385 in order for the Washoe County Commission to review the suspension and determine whether the business license should be revoked.

02-390 PUBLIC HEARING - SPECIAL ASSESSMENT DISTRICT NO. 29
(MT. ROSE SEWER PHASE 1) - COMPLAINTS, PROTESTS, OR
OBJECTIONS

5:30 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on March 22, and 29, and April 5, 2002 to consider any applications for hardship filed with the Washoe County Department of Social Services for property owners within Special Assessment District No. 29 (Mt. Rose Sewer Phase 1) and determine

whether to grant any hardship application, and to receive and consider complaints, protests and objections concerning the special assessment district.

Chairman Sferrazza opened the public hearing by asking if there was anyone present who wished to speak concerning this matter.

Chairman Sferrazza noted the Board had received requests from two property owners asking that they be excluded. Katy Singlaub, County Manager, advised no hardship applications were received, but this is being established as a voluntary district and those not wishing to participate, will not receive the benefits.

Gary Schmidt, Mt. Rose Highway resident, asked that the two parcels requesting to be excluded be identified. He was advised one of the properties is Buddy and Katherine Garcia at 655 Joy Lake Road; and the other is Joon S. Moon at 11000 Mt. Rose Highway.

There being no one else wishing to speak, the public hearing was closed.

02-391 RESOLUTION - DISPOSING OF PROTESTS - SPECIAL ASSESSMENT DISTRICT NO. 29 (MT. ROSE SEWER PHASE 1)

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the requests of Buddy and Katherine Garcia and Joon Moon to be excluded from Special Assessment District No. 29 be granted and that the following resolution be adopted and Chairman Sferrazza be authorized to execute on behalf of Washoe County:

RESOLUTION NO. 02-391

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 29 (MT. ROSE SEWER PHASE 1); DIRECTING THAT THE ENGINEER PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") and State of Nevada, pursuant to a resolution adopted March 12, 2002 (the "provisional order resolution"), provisionally ordered the acquisition, pursuant to Chapter 271, Nevada Revised Statutes, of a sanitary sewer proj-

ect as defined in NRS §271.200 (the "Project") within the Washoe County, Nevada, Special Assessment District No. 29 (Mt. Rose Sewer Phase 1) (herein the "District"); and

WHEREAS, pursuant to the resolution, the County Clerk and the Manager of Utility Services in the Department of Water Resources, as the engineer for the County, gave notice of the time and place of hearing thereon, in the manner specified by law and that the County will consider all hardship applications filed in accordance with NRS 271.357 at such time; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before the Board on Tuesday, April 9, 2002, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, and as to the amount thereof to be assessed against the property; and

WHEREAS, the written and oral objections or protests received were duly considered, and the Board has determined that it is in the best interests of the District, the County, and inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the Board has determined (based upon the tabulation of the percentage of owners protesting prepared by the Manager of Utility Services in the Department of Water Resources, as the engineer for the County, and filed with the County Clerk) that the total percentage of those owners filing written or oral objections for the entire District amounted to less than one-half of the total area to be assessed; and

WHEREAS, the Board has now considered each and every written protest and objection and all oral protests and objections made at the hearing, and the Board finds that each and every written and oral protest or objection is without sufficient merit and is overruled and denied.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. The Board determines that each and every protest and objection filed or otherwise made (representing less than 50% of the area to be assessed) is without sufficient merit, and that the same is overruled and finally passed on by the Board except the District is modified as described in Section 2. The Board has considered all applications for hardship determinations and the recommendations made by the Washoe County Department of Social Services, has made a final determination on each application and overruled all applications except as follows:

NO. **APN** **NAME**

(NONE)

Section 2. The Board has determined, and does hereby determine, that, except as hereinafter stated, it is advisable to acquire the Project as provided by the provisional order resolution and does hereby order that assessments be levied therefor; except that the following are deleted from the District:

<u>NO.</u>	<u>APN</u>	<u>NAME</u>
8	047-051-01	Buddy J. & Katherine L. Garcia
26	048-092-219	Joon S. Moon

Section 3. Any person who filed, and did not withdraw a written protest or objection as aforesaid, shall have the right, within 30 days from the effective date of this resolution, to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amounts of benefits, shall be perpetually barred.

Section 4. The Manager of Utility Services in the Department of Water Resources as the engineer for the County is requested and directed to prepare in the manner required by law and present to the Board:

- (A) A revised (to the extent necessary) and detailed estimate of the total cost of the District, including each of the incidental costs;
- (B) Full and detailed final plans and specifications; and
- (C) A revised (to the extent necessary) map and revised assessment plat.

Section 5. The officers of the County are directed to effectuate the provisions of this resolution.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 7. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 8. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

Lt. Jake Wiskerchen, Acting Manager, Reno Police Animal Services Division, provided historical and background information concerning the Reno Animal Shelter. He presented the consultant's report on renovation or replacement of the facilities, as detailed in his staff report to the Reno City Council, a copy of which was placed on file with the Clerk. He highlighted the problems with the current facility, such as diseased animals due to very poor air circulation and extremely crowded conditions. He noted the current facilities were constructed in 1978 and have not kept up with the explosion in both animal and human population in the Truckee Meadows. Lt. Wiskerchen stated the options the consultant recommended are to place a bond question on the 2002 ballot for construction of a new municipal facility, or develop a partnership with a non-profit agency who could bring their financial and staffing resources into play. Construction costs for a new facility would be approximately \$11- to \$12-million, and the annual operating costs would be \$3-million.

Commissioner Bond asked if there is enough land at the current site or if additional land would be needed. Lt. Wiskerchen responded they have a 7-acre parcel with the current facility located on the back side. The intent would be to build towards the front nearer to Longley Lane. He also responded to questions from Commissioner Short concerning how many animals are adopted and how many are euthanized.

Commissioner Galloway asked if the consultant identified any other programs that could be implemented to help control the problems and the role of the Humane Society and "rescue" groups. Lt. Wiskerchen stated the rescue groups have been shying away from taking animals out of the facility because of the disease problems.

Reno Councilmember Jessica Sferrazza-Hogan distributed photographs of the current Reno Animal Shelter and urged the Board to put this on the 2002 ballot. She also cited statistics concerning the number of animals euthanized and stated this would be a good service to consolidate between the entities. Councilmember Sferrazza-Hogan also relayed Councilmember Doyle's comments supporting a new shelter.

Commissioner Galloway discussed the difficulty of placing too many tax questions on the ballot when the local governments are so close to the maximum tax cap.

Brad Lencioni, Chairman of the Animal Services Advisory Board, compared photographs of the current facility with photographs of a shelter he visited in Nebraska, which he displayed on the overhead. He explained they are aware of current budget constraints and presented a third option stating it is a scaled-down version of option one with an \$8-million construction cost and an operating budget of \$2.1-million. He also responded to questions from Board members providing statistics for both the current facilities and the proposed facilities regarding capacity, additional cost information, etc.

The following individuals spoke in support of construction of a new animal shelter and urged the Board to put the question on the ballot and let the voters decide: Susan Asher, Executive Director, Nevada Humane Society; Tracy Bulkley, Society for the Prevention of Cruelty to Animals; Jackie Decker, Judith Snell, Sandra Powell and Toni Strassburg Pearce of the Animal Rescue Coalition; Caron Tayloe, Charles Jarvi, and Judy Stewart. They expressed the urgency and importance to the whole community of a new shelter to replace a very old, tired, and worn-out shelter. Chairman Sferrazza noted and summarized the written comments submitted by several people on the request to speak cards.

Katy Singlaub, County Manager, advised that County staff has requested the opportunity to review the proposal and provide comments/suggestions at the next joint meeting between the entities.

Board members agreed that a new animal shelter is needed, expressed their support for a ballot question, and stated they needed more information, especially concerning operating costs and how those would be funded. Commissioner Galloway noted the responsibilities of the Debt Management Commission and the growing competition for ballot questions this year.

Reno Councilmember Sherrie Doyle expressed her support for a new shelter and stated the entities need to get together on this because the facility and animal control services are shared among the three entities.

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There being no further business to come before the Board, the meeting adjourned at 8:15 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Barbara Trow and Sharon Gotchy
Deputy County Clerk*